

IN THE MATTER OF THE CLAIM OF
XIAMIN ZENG
-against-
THE CITY OF NEW YORK

NYC COMPTROLLER
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2018 DEC 20 A 8:47

TO: THE COMPTROLLER OF THE CITY OF NEW YORK

PLEASE TAKE NOTICE that the undersigned claimant(s) hereby make(s) claim and demand against the City of New York as follows:

1. The name and post-office address of each claimant and claimants attorney is:

XIAMIN XENG, 110 COLUMBIA Street, Apt 1A, New York, NY 10002
Wylie Stecklow, Wylie Stecklow PLLC, 217 Centre Street, 6th Floor, NY NY 10013

2. The nature of the claim:

Violation of civil rights, false arrest, unlawful detention, physical injuries, personal injuries, mental and emotional injuries, fear, anguish, excessive force, assault, battery, deprivation of her child and negligence of and/or by THE CITY OF NEW YORK, and/or its agents, servants and/or employees or agents thereof, including but not limited to as-yet unknown POLICE OFFICERS. IT IS KNOWN THAT NYPD MOS GARY DENEZZO, GEORGE TAVARES, DANIELLE FEBUS, JOHN CHELL, were involved with this unlawful detention and arrest.

3. The time when, the place where and the manner in which the claim arose:

Commencing on or about January 31, 2018, the above identified officers of the NYPD falsely arrested the claimant after telling her to report to 112-25 Queens Boulevard and saying that her son was there. Once there, MOS FEBUS and ACS Worker ADRIANZEN questioned the claimant about a previously filed federal lawsuit against ACS. After holding claimant for six hours, and refusing to let her see her son, she was transferred to the 75th Precinct. At the 75th Precinct, claimant was again questioned about her ACS lawsuit, including by Inspector John Chell. After approximately 20 hours of detention she was arraigned and released on her own recognizance. The case was initially filed with felonies as the top count and required her to return to court 8 different times. On April 4, 2018, the felony counts were dismissed, and on December 3, 2018, the remaining counts were dismissed. In the process, she was deprived of her son for a few days while she had to go to court and win custody back from ACS. In negligently hiring, training and/or supervising the aforementioned officers, and in all other ways, the City of New York its agents servants, and employees were negligent, careless and reckless. The City of New York is also responsible under the theory of respondeat superior.

4. The items of damages or injuries claimed are:

Violation of civil rights, physical injuries, personal injuries, mental and emotional injuries, fear, anguish, excessive force, assault, battery, and negligence. Among the physical injuries sustained were injuries to claimant's wrists and torso, and mental and emotional injuries.

TOTAL AMOUNT CLAIMED: \$ 1,000,000 (ONE MILLION DOLLARS) or an appropriate amount to be determined at a trial by jury.